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Request for Applications

USAID Expanding Access to Justice (EAJ) Program

RFA No.: P3846#2019#002

Date of issuance: October 7, 2019

Due date for questions: October 27, 2019

Release date for response to all questions: October 30, 2019

Grant solicitation workshop: Hargeisa. Workshop date and venue will be confirmed via invitation letter

Closing date: November 3, 2019

Concept note applications are due by 4 pm (East Africa Time) on November 3, 2019 via email to ejagrants@pactworld.org. Emailed submissions must contain the subject "EAJ primary grant concept note submission - (INSERT NAME OF YOUR ORGANIZATION)".

Shortlisting of selected concepts, and co-design of final proposals: November 11 - December 19, 2019

Estimated award date: January 13, 2020

Estimated Duration of Grants: 12 – 24 months¹

¹ Multi-year primary awards (max 2 years/24 months) will receive initial funding obligation for one year, with future commitment (obligation) for funding in year 2 based on achievement of set targets negotiated with successful applicants.



1. Background on Pact and ABA

Pact is a leader in building the capacity of non-government organizations, networks and intermediary organizations. Pact's mission is to help build strong communities globally that provide people with an opportunity to earn a dignified living, raise healthy families and participate in democratic life. Pact achieves this by strengthening the organizational and technical capacity of grassroots organizations, coalitions and networks, and by forging linkages between government, business and citizens in order to achieve social, economic, and environmental justices.

The American Bar Association's (ABA) mission is to serve equally members, profession and the public by defending liberty and delivering justice as the national representative of the legal profession. For 30 years and in more than 100 countries, the American Bar Association's Rule of Law Initiative (ABA ROLI) has advanced justice, economic opportunity, and human dignity through the rule of law.

2. Purpose Statement

Pursuant to the authority granted under USAID Associate Award #720-623-18-LA-00002, the Expanding Access to Justice (EAJ) Program is pleased to announce the release of a request for applications (RFA) for funding provided to support the implementation of EAJ Program activities. The Program, working hand in hand with legal aid providers will use an iterative approach to enable sustainable change and inform broader justice approaches in Somaliland. The Program will underpin the improvement and expansion of legal aid services with ongoing analysis and application of learning to ensure that individuals and communities, especially women and marginalized groups, obtain rights-based resolution of their justice issues through available justice institutions and authorities – formal or informal.

This RFA is issued as a public notice to ensure that all interested, qualified, and eligible actors have a fair opportunity to submit applications for funding. For the purposes of this RFA, "formal access to justice actors" are defined as general association(s) of legal aid organizations (LAOs), civil society organizations (CSOs), community-based organizations (CBOs), and academic institutions who provide legal services to clients.



3. Program Description

3.1. Program background

The five-year Expanding Access to Justice (EAJ) Program, funded by the United States Agency for International Development (USAID) through the Freedom House-led Human Rights Support Mechanism (HRSM) and implemented in partnership between Pact and the American Bar Association Rule of Law Initiative (ABA ROLI), aims to sustainably strengthen access to and understanding of justice mechanisms by individuals and communities in Somalia and Somaliland. To achieve this goal, EAJ carries out a comprehensive and complementary set of activities, based on approaches that prescribe engagement with diverse Access to Justice partners at different levels.

EAJ seeks to engage different actors within the broader field of justice to support sustainable improvements to the quality and expansion of legal aid and justice services, while promoting rights-based justice services by formal and informal justice institutions and authorities. Focusing on legal aid provision, EAJ supports civil society and state justice partners to create network-based platforms necessary to foster critical collaboration among a broad range of justice actors. Furthermore, EAJ takes on a holistic capacity development (CD) approach to ensure that its justice partners can expand and increase the quality of their services and build their institutional capacity for improved sustainability of outcomes.

To achieve the program goal of expanded and enhanced access to justice and mechanisms to address grievances, the EAJ program will implement activities through three inter-related components:

1. Improved public access to legal information through research, analysis, outreach, and policy interventions
2. Enhanced quality and reach of legal aid services
3. Increased capacity and sustainability of access to justice actors

3.2. Geographic area

Applicants are encouraged to submit applications for projects that cover one or more regions/districts in Somaliland.

3.3. Intended impact

EAJ seeks to support and empower citizens to understand the justice pathways available to them and to assist them to move through the plural justice environment in an informed manner. To achieve this, EAJ seeks to support institutions that can provide an improved context-specific understanding of particular justice pathways' pitfalls and advantages and can accompany clients to achieve their justice goals. As such EAJ seeks:

- To meaningfully strengthen services – through improved institutional capacity and management – and through the individual technical capacities of legal aid providers.



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- To promote coordination and exchange between justice actors, between legal aid organizations, and between justice actors and the communities they serve, to better address challenges, promote positive networking and to improve referral pathways
- To connect legal assistance to wholistic needs, including livelihood and psychosocial assistance.
- To enhance accountability of justice actors and service providers
- To continually improve the evidence-based research to inform improved service provision and identification of needs

3.4. Intended target audience

EJ-supported activities seek to sustainably strengthen access to and understanding of justice mechanisms by individuals and communities in Somaliland. EJ is committed to improving access to justice broadly, with service improvements to the general public desired, though with particular emphasis placed on outreach to traditionally underserved groups, including rural communities, women, IDPs, detainees, and minority clans.

3.5. Expected role of sub-awardee in the program

Sub-awardee is expected to develop concepts and implement program.

3.6. Thematic Area of Implementation and Illustrative Activities

The following outlines the thematic areas and illustrative activities to be considered in concept note applications.

A. Improved access to justice services

EJ will support activities in Somaliland that expand legal assistance services to individuals and communities, with particular emphasis on traditionally-underserved populations. Successful proposals will clearly demonstrate how the activities will address the needs of the population in a context-informed manner that empowers individuals to determine their justice pathways.

For improved access to justice initiatives, illustrative activities might include but not limited to the following:

1. Support to establish service points to improve legal awareness and legal assistance in traditionally underserved rural communities, for example the use of community based Justice Promoters (paralegals).
2. Support for legal assistance in response to urgent or emergency circumstances.
3. Support for innovative ways of promoting legal aid and addressing pressing justice challenges.

For (thematic area) proposed activities, expected outcomes should include:

- I. Improved access to and awareness of legal assistance institutions in target communities.
- II. Legal assistance in emergency circumstances forestalls further conflict and additional violence.
- III. Innovatively expanded legal assistance reaches large numbers of previously underserved cases.

Examples of such grants may include piloting of new mobile legal aid service delivery tools; initial personnel deployment, operational or administrative costs (paralegals, lawyers, transport, office operations) for new or expanding legal aid service points; radio-related activities, such as



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public announcements, talk shows, etc.; information, education & communication (IEC) materials for public outreach campaigns; or initial travel, resettling cost, legal fees for emergency legal or relocation for clients.

3.7. Program indicators and data reporting for partners

EAJ has identified several program monitoring indicators to inform achievement of the program results. Applicants should design programs that demonstrate how they will support the program’s capacity and activities.

Below is the list of program indicators to which sub-awardees under this RFA will contribute. Applicants are therefore strongly encouraged to design projects that will contribute to the following set of program indicators:

- Number of commitments made by justice actors to broaden access to justice for women and marginalized population
- Number of justice institutions that modified their practices to be more inclusive
- Number of procedures, policies, or laws proposed, drafted, or adopted to promote improved practices in access to justice
- Number of clients assisted with their cases
- Number of access to justice actors who have expanded services and or locations where they offer services
- Number of justice and/or legal service providers trained
- Number of events or activities implemented under
- Number of people reached through the project

4. Application Submission

4.1. Grantee eligibility

This competition is open to any non-governmental organization that is either a non-profit, not-for-profit, or for-profit entity that is not established in the United States. To be minimally eligible for funding, applicants must provide full, accurate, and complete information and comply with the following conditions. Organizations must:

- Be legally registered or otherwise authorized to conduct business in the proposed country or countries of operation
- Have a DUNS number (a nine-digit identification number required for all procurement-related activities). A DUNS number is not required for application, but will be required for receipt of award
- Be able to complete implementation within the stated timeframe
- Have previous experience of not less than one year working on access to justice issues and/or provision of legal aid services
- Have current geographic coverage where program activities will take place or prior experience in that area with the ability to quickly start up implementation
- Not be a registered political party



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4.2. Funding

Subject to the availability of funds, EAJ intends to award between \$50,000 and \$150,000 in total funding for 12 – 24 months. Multi-year primary awards (max 2 years/24 months) will receive initial funding obligation for one year, with future commitment (obligation) for funding in year 2 based on achievement of set targets negotiated with successful applicants..

EAJ anticipates these awards will be cost-reimbursable, fixed amount award, or in-kind grants. Grant type will be based on the program description and the results of the partner's pre-award risk assessment, which Pact will conduct prior to issuance of the award.

Pact reserves the right to award any or none of the applications submitted.

4.3. Application submission deadline

Concept note applications must be submitted by **November 10, 2019 at 4 pm** East African Time (EAT).

4.4. Late submissions, modifications, and withdrawals of application

At Pact's discretion, any application received after the exact date and time specified for receipt may be considered ineligible for consideration. Applications may be withdrawn by written notice via email or in person by an organization or the authorized representative.

4.5. Conflict of interest clause

Applicants must provide disclosure of any past, present, or future relationships with any parties associated with the issuance, review or management of this solicitation and anticipated award. Failure to provide full and open disclosure may result in Pact having to re-evaluate selection of a potential applicant.

4.6. Submission method for questions

Submit questions electronically ejgrants@pactworld.org. The deadline for questions is October 24, 2019 East African Time (EAT).

The email subject line should read "Questions - EAJ – *name of organization submitting application.*"

All questions and answers will be shared with all interested applicants.

4.7. Submission method for final application

Submit applications electronically to ejgrants@pactworld.org. The EAJ program will not receive paper applications for this RFA.

The email subject line should read "EAJ – *name of organization submitting application.*" Technical applications and attachments must be submitted in Microsoft Word or Adobe PDF. Budgets must be submitted in Microsoft Excel.



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4.8. Grant solicitation workshop

Date(s): A grant solicitation workshop will be held on October 20- 21, 2019. All applicants are encouraged to attend, but no more than three (3) people from an organization will be required.

Location: Hargeisa – Ambassador Hotel

Participation: An email confirming attendance must be sent to eajgrants@pactworld.org. no later than October 10, 2019

Language: The workshop will be held in English, with Somali language translation on hand.

5. Application Format

5.1. Overall requirements

Applicants will develop their applications based on their understanding of needs, their prior institutional experience, and their determination of the approaches that would be feasible and successful. In all cases, applicants shall clearly explain the rationale for the proposed approaches chosen. To facilitate the competitive review of the applications, the EAJ program will only consider applications conforming to the following.

- The application narrative should be clear, concise, and properly organized.
- The document should be in 12-point Times New Roman font, single spaced, with 1 inch/2.5 cm margins.
- Full applications should not exceed 5 pages; page maximums for specific parts are provided in section 5.2
- Applications should be written in English.
- Paper copies of the applications will not be accepted.
- Please note that technical and cost applications should be separate files.

All applications received by the deadline will be reviewed for eligibility (pass/fail) to the specifications outlined in these guidelines and the application format. Applications should take into account the evaluation criteria.

5.2. Technical application

Sub-Awardee Risk and Responsibility Assessment Cover Page

Limit of six (6) pages, including:

I. Summary of the Project (half page)

II. Technical Approach and Feasibility of Project Design (four pages max)

- The applicant’s technical approach should include:
 - A description of the applicant’s prior work as it pertains to the project objective
 - A description of the activities to be undertaken, organized by thematic area
 - Anticipated results
 - The proposed approach to achieving the objectives each thematic area



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- The application should discuss the applicant’s approach for engaging with local actors, building partnerships with key stakeholders, and creating linkages with other relevant development activities/programs.

III. Past Performance (half page)

- Describe the organization’s previous experience with subject/technical area. The EAJ Program will evaluate whether the organization has managed successful projects of similar size and scope in the geographic areas specified. Past performance may also include proposed management plan for the proposed project and experience of proposed project management team

IV. Monitoring and Evaluation Systems Approach (half page)

Describe how the project will ensure high quality relevant data is collected for outputs and outcomes intended. The concept should explain how data, disaggregation and other important information for proposed indicators (if applicable to your project), will be collected, tracked and reported. Consider using a table in addition to a brief description to make the information under this section clear.

Possible indicators:

- Number of commitments made by justice actors to broaden access to justice for women and marginalized population
- Number of justice institutions that modified their practices to be more inclusive
- Number of procedures, policies, or laws proposed, drafted, or adopted to promote improved practices in access to justice
- Number of clients assisted with their cases
- Number of access to justice actors who have expanded services and or locations where they offer services
- Number of justice and/or legal service providers trained
- Number of events or activities implemented under
- Number of people reached through the project

5.4. Relevant documents

Applicants are required to provide registration or other relevant documents, such as letters of support and recognition from local governments/authorities. Applicants will also be asked to provide evidence of compliance with local and national tax obligations where applicable (documentation of compliance will be required as part of the pre-award assessment process). These documents do not count toward the technical and cost application page limits.

6. Evaluation of Concept Applications

6.1. Review process

The EAJ program will establish a **grants review committee** that includes representatives from various EAJ Program units (Pact and ABA) staff. All technical reviewers will be subjected to a screening process to eliminate any conflict of interest. Evaluation will be based on the criteria set forth in sections 6.2, and 6.3. The process will be completed within approximately 10



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business days. The review panel, using the criteria detailed below, will rate applications and make funding recommendations to the program’s grants management unit.

The EAJ program reserves the right to make any number of awards or none at all. The program is not responsible for any costs associated with the development of concept note applications.

To facilitate the review of applications, applicants must organize the narrative sections of their applications with the same headings and in the same order as the selection criteria.

6.2. Evaluation criteria for the application

In evaluating the applications, the **grants review committee** will examine overall merit and feasibility, as well as the specific criteria relevant to each component, as elaborated in the table below. Applicants should note that these criteria both serve as the standard against which all applicants will be evaluated and serve to identify the significant matters that applicants should address in their applications. Pact will instruct the technical review committee to evaluate all applications according to the criteria as established and weighted in the following table. Applicants are encouraged to develop innovative proposals that contain thorough arguments and strategies to reach the project goal.

Instructions: Number of points in the following table should be tailored to each project. Cost is a determining factor though this criterion should be weighted less than the other five.

Evaluation Criteria	Points
I. Technical Approach and Feasibility of Program Design The review team considers a strong technical design to be one that is informed by local circumstances and needs. Proposals must be in line with the technical areas outlined in section 3. Clear statements of the problem, innovation and clear pathways to how objectives will be achieved will be key assessment criteria	65
III. Past Experience/Performance Reviewers will evaluate whether the organization (and individuals proposed to lead the project) has managed successful projects of similar size and scope in the geographic areas specified.	20
IV. Monitoring and Evaluation Plan Reviewers will assess how the applicant intends to collect data, ensure data quality, and measure progress using the relevant indicators in section 3.5 and any additional custom indicators proposed by the applicant.	15
Total	100

6.3. Supporting documentation for Co-design and Pre-Award Assessment visits

After the application evaluation process, any selected firm will be required to complete a Financial Pre-Award Assessment in order for Pact to determine if the organization has the capacity to perform successfully under the terms and conditions of the proposed grant. As part of the Pre-Award Assessment process, Applicants may be asked to submit additional documentation to illustrate that the organization has the capability to implement the grant. Site visits may be conducted by Pact staff to evaluate the organization in these areas.



7. Terms and Conditions

7.1. Standard provisions

The Standard Provisions for Non-U.S. Non-Governmental Organizations as applicable will apply to these grants. Applicants can find the provisions at <https://www.usaid.gov/sites/default/files/documents/1868/303mab.pdf>. Printed versions of these provisions are available upon request.

7.2. Permission for use and disclosure

By submitting an application under this RFA, the applicant consents to the disclosure of the documents submitted by the applicant to the reviewers involved in the selection process. Please note that all reviewers are bound by non-disclosure agreements.

7.3. Disclaimers

- The EAJ Program may cancel the solicitation and not award any funds.
- The EAJ Program may reject any or all applications received.
- Issuance of solicitation does not constitute award commitment by the EAJ Program.
- The EAJ Program reserves the right to disqualify any application based on applicant's failure to follow solicitation instructions.
- The EAJ Program will not compensate applicants for their response to the solicitation.
- The EAJ Program reserves the right to issue an award based on initial evaluation of applications without further discussion.
- The EAJ Program may choose to award only part of the activities in the solicitation or to issue multiple awards based on the solicitation activities.
- The EAJ Program reserves the right to waive minor application deficiencies that can be corrected prior to award determination to promote competition.
- The EAJ Program may contact applicants to confirm contact person, address, and that the application was submitted for this solicitation.
- The EAJ Program may contact listed past performance references without notice to the applicant. The EAJ Program also reserves the right to contact other past performance information sources that the applicant did not list in the application.
- By submitting an application, the applicants confirm they understand the terms and conditions.

8. Attachments

The following documents must be submitted as part of this RFA (but are not part of the total number of pages required for the application):

- A. Sub-awardee Risk and Responsibility Assessment cover page